

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

CHARLES CHRISTOFERSON,	)	
	)	Civil No. 06-613-MO
Petitioner,	)	
	)	
v.	)	
	)	ORDER TO DISMISS
CHARLES A. DANIELS,	)	
	)	
Respondent.	)	
	)	

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MOSMAN, District Judge.

On May 9, 2006, the court ordered petitioner to show cause why this 28 U.S.C. § 2241 habeas corpus case should not be dismissed for lack of jurisdiction. Specifically, the court determined that petitioner sought to challenge the legality of his detention by disputing the sufficiency of the judgment in his underlying criminal case, and did not seek to challenge the execution of his sentence.

Petitioner timely responded to the Order to Show Cause and asserts that jurisdiction is proper because his challenge to the

sufficiency of the judgment does not implicate his guilt or innocence. The court disagrees.

Petitioner seeks to attack the judgment in his criminal case in order to prove that he is being unconstitutionally deprived of his liberty. A finding in plaintiff's favor would invalidate his criminal conviction. Section 2241 is not the appropriate forum for such a claim. Accordingly, this case is DISMISSED.

IT IS SO ORDERED.

DATED this 26 day of June, 2006.

/s/Michael W. Mosman  
Michael W. Mosman  
United States District Judge